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Paper No.11

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA VA 22314

OCT 18 2004

In re Application of :
Yoshinori Nakatsugawa :
Application No. 09/780,497 :
Filed: February 12, 2001 :
For: **VEHICLE COMPARTMENT RADIO LAN** :
SYSTEM :

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

DECISION ON PETITION TO
WITHDRAW HOLDING OF
ABANDONMENT

This is a decision on the request filed June 1, 2004, which is treated as a Petition to Withdraw Holding of Abandonment pursuant to 37 C.F.R. § 1.181(a). No fee is required.

Petitioner asserts that a Notice of Abandonment was mailed March 31, 2004 which stated that the reason for abandonment is that Applicants did not reply to the Office action mailed on July 1, 2004.

The dates above, i.e., application allegedly abandoned (March 31, 2004) prior to the Office action being mailed (July 1, 2004) are but one of the errors in this application.

A review of this application reveals that the application actually became abandoned for failure to timely file a response to the final Office action mailed March 31, 2004. A Notice of Abandonment has not been mailed for this application.

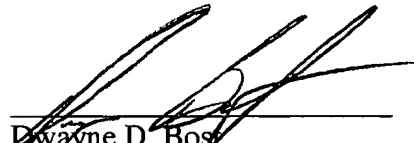
An interview summary, mailed June 22, 2004, suggests that the wrong Office action was mailed and that the Office action would be re-mailed and the time period restarted. There is no indication that the final Office action was re-mailed. Moreover, it does not appear as though the wrong Office action was mailed, but rather cover letters for two different applications were inadvertently switched. The final Office action in the subject application was mailed to a correspondence address for another application and the Notice of Abandonment for the other application was mailed to the Applicants of the subject application. The subject application was not abandonment in fact.

Given the circumstances set forth above, it is evident that Applicants did not receive the Office action mailed March 31, 2004. There was clearly an irregularity in mailing of the final Office action, i.e., mistakenly mailed to an incorrect correspondence address. Therefore, the holding of abandonment for failure to reply to the Office action mailed March 31, 2004, is withdrawn. The Office action mailed on March 31, 2004 to the wrong address is hereby vacated.

The U.S. Patent and Trademark Office regrets any inconvenience to the petitioner.

The petition is **GRANTED**.

The application file will be forwarded to the examiner of record for preparation of a new Office action. From there, the file will be forwarded to the Technology Center 2600 technical support staff for mailing of the new Office action to the correct correspondence address of record and setting a new shortened statutory period of three (3) months for the applicant to respond.



Dwayne D. Bos
Special Programs Examiner
Technology Center 2600
Communications